

**UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**

CARL DEAN EDWARDS,

Petitioner,

vs.

NYE COUNTY DISTRICT JUDGE, et al.,

Respondents.

Case No. 2:14-cv-00195-JAD-PAL

ORDER

The court directed petitioner to show cause why this action should not be dismissed because he has not exhausted his available state-court remedies. Doc. 2. Petitioner has not responded within the allotted time. The court will dismiss the action without prejudice.

This action did not toll the one-year period of 28 U.S.C. § 2244(d). *Duncan v. Walker*, 533 U.S. 167, 181-82 (2001). If petitioner files a new federal habeas corpus petition, he is responsible for ensuring that it is timely.

Reasonable jurists would not find the court's decision to be debatable or wrong, and the court will not grant a certificate of appealability.

IT IS THEREFORE ORDERED that this action is **DISMISSED** without prejudice for failure to exhaust available state-court remedies. The clerk of the court shall enter judgment accordingly.

IT IS FURTHER ORDERED that a certificate of appealability is **DENIED**.

DATED: October 7, 2014


JENNIFER A. DORSEY
United States District Judge